App. F. IX-4

Previous References
GAE 332-32 (1-6) 1934.

File No. 97-33
Serial Nos. 1-3, 8

Later References.
Law 202-32-1-2.
GS. 63-35
1-7.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 35 (E)

Part B for feby 35

SUBJECT.

Changing the name of the Mysore Insurance Company Ltd Bangalore.

D 5764-6 dt 27-2-35
to Secy. M.S.L.G. in Regn. iii Heads of depts. &
dy. Comm^rs of Dts.
Genl Secy. Mysore Insurance Cos Ltd.

WD 01965—GPB—15,000—7-7-34

Direct that no action is necessary re for reasons explained.

3985/37

General and Revenue Secretariat | J.S. File No. 37 of 1933. | [App. F. III—

Serial No. 1

From The Secretary, Mysore State Life Insurance Committee

No. 18538 & 5.4.934.

Reports that an Insurance Concern by name "The Mysore Insurance Co: Ltd. Bangalore" appears to have been started recently after having regd. its name under the Mysore Co's Regulation & that it is feared that the Insurance public may be misled by the name, the result being detrimental to the Mysore State Life Insurance Scheme. & requests that the name of the Company may suitably be altered.

Draft letter addressed to the Regr of J.S. companies is put up for Consideration Subs: 2 Sanctioned for issue

Sd/ 14/4/34 Sd. 14/4/34

3 For perusal before issue Sd/ 14/4 Devt Genl. Sec.)

4 Has the Co. given under the company regulation. Please put up a copy of the Regulation quoted

Sd/ 16/4

5 Sec. 11 (1) and (2) of the regulation VIII of 1917, confers the right to change the name

Sd. 16/4 Dev: Sec.)

6 Draft regret issued Sd/ 17/4

Secy to Govt

Sd/ 2.5. 2/5

Sd/ 5/5.

1 A. APR. 1934

17 APR 1934 3190

7 MAY 1934

OFFICE OF THE SECOND MEMBER OF COUNCIL -5 MAY 1934 No. 1170

TYPING SECTION GENL.

NOTE—Contn. Sheet.

WD 0434—GPB—15,000—12-10-33

3985

113

File No. 37 of 1933.

General and Revenue Secretariat

Serial No.

To - The Registrar of J.S. Cos.

No. D.5372 & S.S. 34 2

Calls for a report after the name of the Company is suitably changed —

No. D5373 Secy to the Secretary. 14.8.34.

From the Registrar of J.S. Cos 3

No C.70/34-35 & 10/7/34.

GEN. & REV. SE

9 MAY 1934

DEVELOPMENT BRANCH

Reports that the ~~section~~ Section 11, (1) & 12) are not applicable to this case since the Mysore State Life Insurance Committee has not been registered as Joint Stock concern, and forwarding the reply of the Company to the suggestion for the change of its name requests orders thereon

9 Submd. for orders with a dft reply to the Secy. Mysore State L. I. Committee.

MG 12.7 Attention is invited to para 7 of the Govt Advocate's note & 24.7.33 in Dte 332-32 Pts 1-6 & Feb 1933

(Flag R)

RR 12/7 12 There is no doubt great similarity between Mysore Insurance Company and Mysore State Life Insurance Committee and the opinion of the Govt Advocate in the Soap Factory case applies to the present case also. Action on the lines indicated by him will have to be taken if the proprietors of the Company refuse to change the name.

Dev. Secy)

ID

Please put up the case of the Sec section in which a similar question was raised in respect of the Soap Factory

RR 12.7.34

Dr Dte no 332-32 (Pts 1-6) - Obtain from the Records & put up

MG 12/7

DEVELOPMENT SECRETARIAT

13 JUL. 1934

243

13 (3

MYSORE STATE LIFE INSURANCE OFFICE
No. S.4.0.6
14 AUG. 1934
Encl. [App. F. II]
* BANGALORE. *

General and Revenue Secretariat | J.S File No. 97 of 1933.

Serial No.

13 The Chairman the Secy Insurance Committee
Bangalore Station

Ref Memo no. 307 1934-35 J) 14.8.34 13.8.34.

Forwarded with compliments to the Secretary, Mysore State Life Insurance Committee for favour of opinion.

By Order,
Seshanarayanappa
for Dev. Secy. to Govt.

14|8|34.

15
Memo no 4575 D/1.9.34.

Returned with compliments. There is no doubt that the new Company is mistaken for this office even by the Post Office as can be evidenced by a number of covers misdelivered. The chief and important words in the two Institutions which go to make up for this mistake of the one for the other are, (1) Mysore, (2) Insurance. The full names as commonly known are, (1) Mysore State Life Insurance (Committee), (2) Mysore Insurance (Company) Ltd. It is very necessary that there should be no doubt in the mind of the Public that there is no patronage or support of Government behind the new Insurance Company as a rival Institution.

16 In the circumstances, if possible, action may kindly be taken to have the Company's name altered under Section 11(3) of Regulation No. VIII of 1917

G. Keshava Rao
For Secretary,
Insurance Committee.

DEVELOPMENT SECRETARIAT
1425
4 SEP. 1934

BSR 31/8/34

17 Issued per order. Ref. Para 16 minute

NOTE—Contn. Sheet.

WD 0434—GPB—15,000—12-10-33

(Dev. Secy)

File No. of 193 General and Revenue Secretariat

Serial No.

19) Sec. 11-3 does not seem to be applicable. The word 'Hygeia' has been allowed to be used by a number of companies.

20) As per the Finance Committee feel a real difficulty. The Govt Advocate may perhaps be consulted as to the further action to be taken.

Sentenced

MW. 19/9 MW. 19/9

21) Yes

19/9 MW. W.J.

21-2-35 1919 pr Rok ire 332-32 (1-6) U.O.No 55 34-35

22) Forwarded with compliments to the Govt Advocate for favour of opinion.

By Order,
Seshavarayappa.
for Dev. Secy to Govt.

20/9/34

Dy. 21.9.34.

23) Returned with compliments.

The question for consideration is whether the new company which was started as The Mysore Insurance Company, Limited., has infringed the rights of the Government carrying on insurance business under the name of The Mysore State Life Insurance Committee. The important words in the two names are "Mysore" and "Insurance" and it is these two words that appeal to the public prominently and not the other words which

are not

Dy. No. 61/84-35 dy 22.11.34

Serial No.

are not of much significance..

(4) The question involved is not free from difficulty. A similar point was considered in my note in the linked file connected with the Soap Factory reference. The decision in 40 Calcutta 570, (Oriental Government Security Life Assurance Co., Ltd., vS. Oriental Assurance Co., Ltd.,) strongly supports the contention that the Mysore Insurance Company must be considered to have infringed the rights of Government. In the Calcutta case, the Plaintiff Company was known as the Oriental Govt. Security Life Assurance Co., Ltd., and the Defendant Company started its business under the name of the Oriental Assurance Co., Ltd., But still a decision was given in favour of the - Plaintiff Company. At pp.581, the learned Judges observe as follows:-

> "It seems to me in this case notwithstanding the cases that have been cited by Mr. Mitter and his learned Junior that an injunction - ought to be granted. No doubt there are cases where injunctions have not been granted but there are other cases where the Company being an insurance company, injunctions have been granted as in the cases of the Merchants' Banking Co., of London vS. Merchants' Joint Stock Bank ..... There is the case of Accident Insurance Co., Ltd., vS. The Accident, disease and General Insurance Corporation Ltd.,"

(5) Injunctions have been granted by Courts in - several cases under somewhat similar circumstances. (Kerly on Trade Mark at Pps.588 to 591). e.g., injunctions were granted in the case of The Universal Life Assurance Society vS. Universe Life Assurance Association; Manchester Brewery Co., Ltd., vS. North Cheshire and Manchester Brewery Co., Ltd.,

American

NOTE—Contn. Sheet.

American Shoe Co., VS. British and American Shoe Co.,

26) The Courts however refused to grant injunctions in the following cases:-

(1) London and Provincial Law Assurance Society VS. London and Provincial Joint Stock Life Assurance Company; (2) London Assurance VS. London and Westminster Assurance Corporation; (3) Colonial Life Assurance Co., VS. Home and Colonial Assurance Co., Limited.

DEV. 2887 23 NOV. 1.

27) ~~The~~ As I have observed already, the question is not free from difficulty. ~~(a)~~ The test is whether the names so nearly resemble as to be calculated to deceive and ~~(b)~~ the decision in such cases very often depends upon the views of individual judges.

28) If the business of the Government Insurance Committee is likely to suffer seriously, action may, I think, be taken to restrain the Mysore Insurance Company from carrying on business under that name.

Government Advocate.

CSN/22.11.34

29) Submitted for orders. The Secretary, Insurance Committee has already brought to notice that the new company is mistaken for the State Life Insurance Office even by the Post Office. He has also pleaded for action being taken to remove all doubts in the public mind about the new company working under Govt. patronage.

Dev. Secy)

Sec 23/11/34

Se
No.

30) The company have not altogether declined to change their name. They have put forward their difficulties and pressed their case. If the principal Officers are sent for and the situation explained to them and they are at the same time made to feel that Govt will take necessary legal steps to have the name changed; I feel that they will change the name. It would perhaps be best that they should be asked to interview the Member on a convenient day.

Secretariat

30.11.34.

OFFICE OF THE SECOND MEMBER OF COUNCIL. 30 NOV. 1934 No. 3676

31) Yes Some time in

7.12.

TYPING SECTION "E"

32) Sealed with a draft

8/12 Key

33) Issue

D.O. issued no 3928 dt 8-12-34.

Letter to Co: issued no D 4607 dt 21.1.35,

Cert for Co. Date the 5th Feb. afternoon between 2 & 3 pm

Letter issued

S/223

7/2

34) The representatives of the Company met me and urged that any change in the name, if ordered now, would lead to loss of business etc. After some discussion, they agreed

NOTE—Contn. Sheet.

WD 01955—GPB—22,500—12-6-34

File No. 37 of 193 3. | General and Revenue Secretariat

agreed to put in a clause in all the advertisements that their Company is entirely distinct from that of the Mysore State Life Insurance. I think this will do for the present to safeguard the interests of the Government concern.

35) Dewan — dcg 8/2/35

5'304 / 917

36) 8-2-35 — 9.2.35

37) Draft — dcg 9/2/35

35) Draft Rules for Consideration.

38) — 39) May be put in the form of a G.O. — 11/2/35 — 12/2/35 — dcg 13/2/35

40) Draft for Rules.

41) Type as revised.

2/9/2435 — dcg 20/2/35

42) Revised typed draft Rules for approval

21/2/35 — Dev. Secy 43) — dcg 21/2/35

44) 25.2.35

45) Issue — dcg 25/2/35

5097 / 21/2

TYPING GENL 20 FEB 1935

TYPING SECTION GENL 26 FEB. 1935

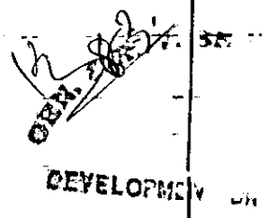
Serial No. 8

A 5744-46 dt 27.2.35

N

Secretary m.d.L.D Commte
Genl secy m.d.L.D.
Regr of Stock Companies
Heads of depts & Dy Commrs
Directs that no Change in necessary
re Mysore Insurance Company Ltd B'lore
as the Company were agreeable to
take precautionary measures to
avoid the public mistaking it with
State Life Insurance Company Ltd

B—



NOTE—Contn. Sheet.

G.S. 37-33-1

M. S. L. I.
O. 20.

MYSORE STATE LIFE INSURANCE OFFICE.

In reply please quote—
No. ...E.18538.....
Encl. .....

3400

BL & REV. Sec.

BANGALORE,
Dated, the 4th April *1934.*

FROM

M. VENKATESA IYENGAR, ESQ., M.A.,
Secretary, Mysore State Life Insurance Committee,
Bangalore.

To

S. SHAMANNA, Esq., B.A.,
Financial Secretary to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

OFFICE OF THE SECOND MEMBER OF COUNCIL.
11 APR. 1934
No. 6626

SIR,

I have the honour to state that an Insurance concern by name "The Mysore Insurance Co., Ltd., Bangalore" appears to have been started after having registered its name under the Mysore Companies Regulation in the office of the Registrar of Joint Stock Companied in Mysore, - Bangalore on 9th November 1933. As the name of this new concern is only slightly different from ours, it is feared that the Insuring Public and others may be mislead by the name and the result may be detrimental to the Mysore State Life Insurance Scheme.

I therefore request that the Registrar of Joint Stock Companies may kindly be addressed in the matter of having the company's name suitably altered so as to avoid every possibility of a mistake between the two concerns.

Yes after personal by 2nd Mr
of President Insc Co
Committee
14/4

I have the honour to be,
Sir,
Your most obedient servant,

II Member)
11.4.34.

For Secretary,
Insurance Committee.

HN

3983 12/4

7 4/4/34

12/4/34

GEN. & REV. SECRETARIAT
13 APR. 1934

W 10/4

Appendix F G—1]

SUBJECT .....

.....

.....

Section 8.

File No. 37-33

Serial No. 2.

Diary No. of letter replied to .....

No. D 5372 Swell

To The Registrar of J.S. Companies
Bangalore.

General and Revenue Secretariat

( )

the *193* .

Sir,

I am directed to enclose a

Date of issue 8/5/34

Copy of letter No. 18532 & 5. W. 934

from the Secretary, Mysore

Signed by [illegible]

State Life Insurance Committee
~~the reasons stated therein~~,
Bangalore requesting ~~to Establish~~
That action may be taken upon
~~after the name of~~ "The Mysore
Insurance Co. Ltd. Bangalore"
to change its name to avoid confusion
~~which appears to have been~~
caused.
~~Started after having registered it~~
~~name under the Mysore Co's~~
Registration I am directed to

List of enclosures .....

request that immediate action

Copied by [illegible] 8/5

may kindly be taken in the

Examined by [illegible]

I under cover of my letter No. 1152 of the 13th instant forwarded Report submitted to Govt.

~~for information~~ after the name is initialled

I have &c

C.P.O. 14/6/41

Asst. Secy. to Govt.

S.372 Dy. to Govt.

Copy to the Secretary, N.S.R.P.

for information.

C.P.O.

A. D. Secy.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

4

Bangalore, Dated 8th May 1934.

No. 5372 / Ja. 37-32

From

The *Secretary to the Government of His Highness the Maharaja of Mysore, Development Department.*

To

The Registrar of Joint Stock Companies in Mysore, Bangalore.

Sir,

I am directed to enclose a copy of letter No. 18538, dated 5th April 1934, from the Secretary, Mysore State Life Insurance Committee, Bangalore, requesting that action may be taken to get "The Mysore Insurance Co., Ltd., Bangalore" to change its name to avoid possible confusion. I am directed to request that immediate action may kindly be taken in the matter under Section 11 (1) and (2) of the Mysore Companies Regulation. A report may be submitted to

Government after the name is suitably changed.

I have the honor to be,
Sir,
Your most obedient servant,

Sd/- M. Venkatanaranappa,

Secretary to Government
Development Department.

Memo No. D 5373 Bangalore, dated 8th May 1934.

Copy of the above is forwarded with compliments, to the Secretary, Mysore State Life Insurance Committee, Bangalore, for information.

By Order,

For Secretary to Government
Development Department.

TRM.3

37-33-3 113

GOVERNMENT OF MYSORE

GEN. & REV. SECRETARIAT 11 JULY 1934 DEVELOPMENT BRANCH

IN REPLY PLEASE REFER TO
No. C.A. 70/34-35.
ENCL. One.

Office of the Registrar of Joint Stock Companies in Mysore.

Dated Bangalore,....10th July.....1934.

FROM

D. SRINIVASA IYENGAR, ESQ., B.A.,
Registrar of Joint Stock Companies in Mysore.

To

M. Venkatanaranappa, Esq., B.A.,
Secretary to the Government
of His Highness the Maharaja of Mysore,
Development Department,
Bangalore.

SECRETARIAT 10 JUL 1934 DEVELOPMENT BRANCH

Sir,

With reference to your letter No.D5372/J.S.37-33-2 dated 8th May 1934 in the matter of taking action under Section 11(1) and (2) of the Mysore Companies Regulation to get "The Mysore Insurance Company Limited, Bangalore" to change its name, I have the honour to state that the Section referred to is not applicable to a case of this kind. Sub-section 1 of Section 11 prohibits the registration of a company by a name identical with that by which a company in existence is already registered or so nearly resembling that name as to be calculated to deceive except where the company in existence signifies its consent in such manner as the Registrar requires. The Mysore State Life Insurance Committee has not been registered in this office and the Section cannot therefore be invoked to its assistance. If a company, through inadvertence, is registered contrary to the provision of sub-section 1, it is provided in sub-section 2 that such a company may change its name with the sanction of the Registrar. It will thus be seen that both these sub-sections are inapplicable to the present case.

2. Nevertheless, agreeably to your letter under advertence, I wrote to the Managing Agents of the Mysore Insurance Company in the matter, suggesting to them to change their name to a different one. But they have replied stating that they have spent a large sum of money in getting the account books, forms etc., printed with the name of the company thereon, that the progress till now made by the company would be arrested, that the company would "suffer loss to the extent of several thousands

thousands" and that they have left no room for any confusion between their concern and that of the State Life Insurance Committee and that there could be no possibility of the one being mistaken for the other. A copy of their letter No. M.347/JN/34 dated 4th June 1934 is enclosed for reference.

3. I request, in these circumstances, the instructions of Government as to further action, if any, that I should or could take in the matter.

I have the honour to be,
Sir,
Your most obedient servant,

D. Srinivasa Iyengar
REGISTRAR.

SL.
7/7.

Letter No. M347/Jn/34 dated 4th June 1934 from the Mysore Insurance Co., Ltd., Sri Narasimharaja Road, - Bangalore City, to the Registrar of Joint Stock Companies in Mysore, Bangalore.

In reply to your letter No.C.70/34-35 of 12th May 1934, we beg to place the following facts before you for your kind and favourable consideration.

The Mysore Insurance Company was registered on the 9th November 1933 under Mysore Companies Regulation and there was then no objection taken to its name. On 2nd April - 1934, a certificate was taken for commencing business and we have begun to do business since. Even before registration we were making active preparations for providing the Company with all equipments requisite for carrying on business. Since the registration, we have got Account Books, various Receipt books, Prospectuses, leaflets and other - literature, necessary application and policy forms, stationery & wall-posters printed (with the name of the company thereon) at a cost of a couple of thousand Rupees. We have at no small cost provided the Company with a Common - Seal and Brass Boards. We have spent considerable amounts on advertisements and other publicity and propaganda work on behalf of the Company. If at this stage, we were to alter the name of the Company, the enormous sums which have been thus spent till now would be entirely wasted and we should have to start everything over again. The progress till now made by the Company would thus be arrested. The Company would suffer loss to the extent of several thousands. In these days of unprecedented commercial depression it would be impossible for the Company to bear such heavy loss and begin business under a new name.

Had an alteration of the name been suggested to us at the time of the registration or soon afterwards there could have been no difficulty at all and we on our part should have been ready and willing to accept any suggestions from you or from the Government. But, if the Company were to be com-

compelled to change its name after over seven months of its existence when it has just begun to do business, the financial loss and the wastage of time and energy thus involved would be too much for the infant company to bear in these hard days.

We respectfully submit that there is no similarity whatever between the name of the company i.e., "The Mysore Insurance Company Ltd.," and the name "The State Life Insurance Committee" and there could be no possible confusion between the two names. - Except the descriptive word "Insurance" there is nothing common between the two names. We assure you, Sir, that there is no - intention whatever on our part to mislead the public and thus - gain an unfair advantage over the State Life Insurance Committee. In fact we only seek to follow the lead of our benign Govt., in the field of insurance rather than compete with the Government.

As you are aware, the State Life Insurance business is not a Joint Stock Company like ours. We, further, beg to point out that the only portion common to the two names consists of a descriptive or geographical word in current usage in regard to which no exclusive rights could possibly exist. We therefore submit with respect that the name of our company does not contravene either the provisions of the Companies Regulation or the general law.

Nevertheless, we should have had no objection to accede to any suggestions by you or by the Government as to the name of the Company without standing on our rights but for the insurpassable - difficulties referred to above.

In all our advertisements and hand-bills we have stated in - unmistakable terms that our business is a new concern. We have pointedly referred also to this fact that it is a limited liability Company, and have made no secret of the fact that it is a private enterprise.

The Company's schemes vary considerably from those of the - State Life Insurance Committee. In these circumstances, we respectfully submit that there could be no room for any confusion between the two concerns nor could there be any possibility of the one being

The State Life Insurance department which after several years of successful working has established its reputation - with the public, has very little to fear from the competition of our newly started Company. The people are now sufficiently enlightened to be able to distinguish between the two.

We may state that since the question of the Company's name was raised, our business has suffered a distinct set - back as all kinds of apprehensions have been prevailing, and the effect of any alteration in our name at this stage on our business can easily be imagined.

There are a large number of foreign concerns doing - considerable insurance business within our state and over ten lakhs of Rupees is being drained out of the State as a result. To stop this great drain from the State, our Company has been started. We submit that for this reason, if for no other, it deserves encouragement from the Government as well as the public. We have till now met with kindness and encouragement from the Government for which we are highly grateful.

We respectfully beg the Government through you to give due consideration to our point of view and treat us with - sympathy. Our prayer to you, Sir, is to write to the Government explaining the above points and recommending to the - Government to drop the matter and not to press for any change in the name of our company.

Thanking you in anticipation,

"Copy"

FOR REGISTRAR OF JOINT STOCK COMPANIES IN MYSORE

Appendix F G—1]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193* .

Date of issue 13. 11. 34

Signed by Mr S. C. T.

List of enclosures .....

Copied by .....

Examined by.....

Section

File No. 37.

Serial No.

No. D 3998

To

The Mgr of J & Co

Dear Sir,

With xfce to the Correspondence ending with your letter no C 70/34 dd 10th July 1934, in the matter of getting the Mysore Insurance Co. Their Ld. Bangalore to change its name, I am directed desired to request you to be so good as to ask the principal officers of the Company to interview the Secretary Member of Council on any convenient day in January next, so that the existing situation may be explained to them & A suitable
~~placed before~~

~~that~~ there may be ~~recorded upon~~ remarks to change the name of the Company in the usual interests of both the Company and the Post Life Insurance Dept.

Yours truly,

Dec 8/1/84

~~Geo Leigh~~

?

Re Regr. J.S.G name.

D 3929 of 15/12-84

Copy to the Secy. M.S.L.I. Commons House

D. O. No. O. ೧೨೪೯

GENERAL AND REVENUE SECRETARIAT,

Dated, Bangalore, ~~11th December 1934~~.

Dear Sir,

With reference to the correspondence ending with your letter No.C.70/34-35 dated 10th July 1934, in the matter of getting the Mysore Insurance Co., Ltd., Bangalore to change their name, I am desired to request you to be so good as to ask the principal officers of the Company to interview the Second Member of Council on any convenient day in January next, so that the existing situation may be explained to them and they may be persuaded to change the name of their Company, in the interests of both the Company and the Government Life Insurance.

Yours sincerely,

Sd/-

D. Srinivasa Iyengar, Esq., B.A.,
Registrar of Joint Stock Companies
in Mysore, Bangalore.

Memo No. ೪೧೨೯ Dated, Bangalore, 11th December 1934.

Copy of the above is forwarded with compliments to the Secretary, Mysore State Life Insurance Committee.

By Order,

Secretary to Government,
Development Department.

LET "MYSORE" PROSPER.

17 3395

GEN. & REV. BRANCH
16 JAN. 35
DEVELOPMENT BRANCH

legrams:—"KANTEERAVA." *Reg. Office:*—NAGESWAR BUILDINGS.

THE MYSORE INSURANCE Co. LTD.

HEAD OFFICE * MANAGING AGENTS * KANTEERAVA & Co. * BANGALORE

SRI NARASIMHARAJA ROAD.

Ref. No. L 1184/Dec/34. *Bangalore City* 29th Dec'34

To

The Second Member of Council,
Govt., of His Highness the Maharaja of Mysore,
Public Offices, BANGALORE.

Respected Sir,

We have been directed by the Registrar of Joint Stock Companies, to interview your goodself early in January 1935. May we humbly request you to kindly fix the interview in the second week of January, as the Chairman of our Board of Directors will then be at head-quarters.

We gratefully remember your kind help graciously offered to our Company by performing its Opening Ceremony.

A line in reply is earnestly solicited.

Thanking you

In 1st week of Feb

Yours faithfully,

For, The Mysore Insurance Co., Ltd.

B. Prabhakara Rao

GENERAL SECRETARY

Draft
Secy
16/1/35

Secy 16/1/35

Mr. A.V.Kristnamurti, B.A., B.Com.,
Registrar (in Charge).

OFFICE OF THE REGISTRAR OF JOINT STOCK COMPANIES IN MYSORE.

D.O. No. C.433/34-35

Bangalore, 2nd January 1935

OFFICE OF THE SECOND MEMBER OF COU NCIL.
3 JAN. 1935
No. 6630

3209

Dear Sir,

With reference to your office D.O. No. D3928 dated 11th/13th December 1934, I beg to state that the Managing Agents of the Mysore Insurance Co., Ltd., have been requested in this office letter No. C.70/34-35 dated 15th December 1934 to interview the Second Member of Council, together with the Directors, early this month.

Yours sincerely,

A.V. Kristnamurti

M. Venkatanaranappa, Esq., B.A.,
Secretary to the Government
of H.H. the Maharaja of Mysore,
Development Department,
Bangalore.

Secretariat

2.1.35

SL.
2/1.

Appendix F G—1]

SUBJECT .....

.....

.....

Section

File No.

Serial No.

No. 1460

To

The General Secretary,

Mysore Insurance Co. Ltd.
Kotteswar Buildings,
Sri Narasimharaja Road,
Bangalore

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the 193 .

Date of issue 14/2/35

Signed by [signature]

Sir,

With refee to your letter no

~~Ref~~ M 1584/Dec 34 & 29/12/34,

~~to the~~ Secretary Chamber of Commerce,

~~on the subject of the~~ you

~~kindly~~ I am directed to

state that the Secretary Member

of Council ~~would be pleased~~ will be glad

~~to meet~~ see you at any Working

day during the 1st week of February

1935, ~~and to request you to be~~

so good as to state when it

would be convenient to you to

Yours

Dec 14/2/35

Deo Leen

List of enclosures .....

Copied by [signature]

Examined by May perhaps be omitted

WD 01966—GPB—22,500—12-6-34

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. [illegible] **Bangalore, Dated,** 18th January 1935

16

From

The *Secretary to the Government of His Highness the Maharaja of Mysore, Development Department.*

To

The General Secretary,
Mysore Insurance Co., Ltd.,
Nageswar Buildings,
Sri Narasimharaja Road,
BANGALORE CITY.

Sir,

With reference to your letter No.M.1584/Dec.34 dated 29th December 1934, I am directed to state that the Second Member of Council will be glad to see you on any working day during the 1st week of February 1935.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Development Department.

LET "MYSORE" PROSPER.

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Telegrams:—"KANTEERAVA"

Reg. Office:—NAGESWAR BUILDINGS

THE MYSORE INSURANCE Co. LTD.

HEAD OFFICE MANAGING AGENTS KANTEERAVA & Co. BANGALORE

SRI NARASIMHARAJA ROAD,

Ref. No. L.I.191/Jan/35. *Bangalore City,* 28-1-1935.

GEN. & REV. DEPT. 3617

30 JAN. 1935

DEVELOPMENT BRANCH.

OFFICE OF THE SECOND MEMBER OF COUNCIL.

28 JAN. 1935

No. 4906

The Development Secretary,
Public Offices,
Bangalore.

Respected Sir,

We are in receipt of your letter No.D4607 dated 21st January 1935 and thank you for the same.

We shall be much obliged if you can kindly intimate the Second Member of Council that the Directors of the Mysore Insurance Company, Ltd. will meet him on Tuesday the 5th February 1935 afternoon between 2 & 3 P.M.

Thanking you,

Yours faithfully,

For The Mysore Insurance Co,, Ltd.

B. Prabhakara Rao

GENERAL SECRETARY.

For perusal

Secretary

24.1.35.

LET "MYSORE" PROSPER.

Telegrams:—"KANTEERAVA"

Reg. Office:—NAGESWAR BUILDINGS.

THE
MYSORE INSURANCE Co. LTD.

HEAD OFFICE — MANAGING AGENTS — KANTEERAVA & Co. — BANGALORE.

SRI NARASIMHARAJA ROAD.

Ref. No. M.I.286/Feb/35.

Bangalore City 5th Feb '35

To

The Second Member of Council,
The Government of H.H. the Maharaja
of Mysore,
Public Offices, Bangalore.

Honoured Sir,

With regard to the suggestion that the name of the Mysore Insurance Company Limited should be altered, we the Directors of the Company beg to bring the following few lines to your kind notice.

The Company was registered on 9th November 1933 and no objection of any kind was then raised to its name. On 2nd April 1934 the Company took out the Certificate necessary for the commencement of business. The Company has been maintaining its registered office there.

It was not till May 1934 that there was any suggestion that the name of the Company should be altered. On 12th May 1934, the Registrar of Joint Stock Companies wrote to us suggesting the alteration of the name. To that letter the Managing Agents of the Company gave a detailed reply on 4th June 1934, submitting that it was well nigh impossible to alter the name of the Company after eight months of its existence, explaining the insurmountable difficulties in the way of altering the name of the Company and pointing out that such an

(Continued.)

alteration would injuriously affect the finances and the goodwill o the Company and that there could be no reasonable apprehension of confusion between the name of the Company and the State Life Insurance Committee. We were hitherto under the belief that the Government had dropped the question. Under that idea we proceeded briskly with our business. We have had a great deal of literature such as Prospectuses Forms, and Policy Forms printed with the name of the Company. A large number of policies have already been issued to the public. Considerable amount of propaganda has been done over a very large area. The name of the Company has become familiar to a large section of the public all over the State and even outside. During the period of 18 months which have elapsed since its registration the Company has as a result of strenuous work and legitimate propaganda acquired a good-will, the continuance of which is absolutely essential for the future progress of the Company. The sudden alteration of the name will naturally unnerve the policy-holders and share-holders and the confidence which the public have in our Company will be seriously affected and may lead to the impression that this Insurance Company is not a steady one.

As pointed out in the Managing Agents' letter dated 4th June 1954, the name of our Company and that of the State Life Insurance Committee are not at all similar and there is no reasonable likelihood of any mistake being made between the two. Except descriptive or geographical words there is nothing common between them. Unlike the Government concern, ours is a Joint Stock Company. We have always made this clear. If we may say so with respect, we are not acting in contravention of Section 11 of the Mysore Companies' Regulation or any other provision of law whatever.

We and our agents have always studiedly avoided all possibility of any mistake between our concern and the State concern, and we assure you Sir,. that we shall always do so in the future. In fact the exact character of our concern has been clearly explained to our clientele and no

(Continued)

attempt is ever made to take advantage of any mistake.

Insurance business as you are doubtless aware is yet in its infancy in India, and is in need of protection from the Government against foreign competition. We, however do not ask for protection but only desire to continue our business under the name of the Company as originally registered. We do not seek to compete with the Government. It would be absurd for us to do so. We, as loyal and patriotic citizens of Mysore, are in our humble way trying to stop the draining of money from Mysore by foreign insurance Companies. We intend also to extend our business outside the State and thus contribute towards the financial prosperity of Mysore.

We beg Sir, that the benign Government of H.H. the Maharaja of Mysore be pleased to consider our representations with sympathy and drop the matter without insisting on any change in the name of the Company.

We beg to remain,

Honoured Sir,

Your most obedient and humble servants,

V. Venkatappa

R. Kalyanasundaram

S. Sir M. Raju Chetty

R. Sir Shankar

J. V. Doddaiah

B. Prabhakara Rao

SUBJECT.....

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Diary. No of letter replied to .....

Section JS.

File No. 37-33.

Serial No.

General and Revenue Secretariat

( )

the *193* .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue..... 193 .

Signed by .....

Read— Letter No. 18538 dt 5.4.1934 from the Secretary, Mysore State Life Insurance Committee suggesting that action may be taken to have the name of the ~~Bangalore Reporting Insurance company~~ newly started Mysore Insurance Co. Ltd. Bangalore changed ~~as per~~ as above and Order thereon—No. ~~been started after~~ having regd. its name under the Mysore Companies Regln & that as the name of the Co. is slightly different from ours, it is feared that the insuring public may be misled by the name

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

so as to avoid the possibility of a mistake being made by the public between that Company and the State Life Insurance Committee

2. Letter No M.D. 286 dated 5th Feb 1935 from the Directors of the above Company explaining the difficulties that exist in altering the name of the Company and adding that every precaution will be taken to avoid all possibility of a mistake being made by the public between this Company and the State Insurance Committee.

to the Mysore State Life Insurance Scheme & requesting therefore to have the Company's name suitably altered, so as to avoid every possibility of a mistake between the two Concerns.

Order.

The Mysore Insurance Co. Ltd. Bangalore, having agreed to put in a clause in all their advertisement that their Company is entirely distinct from the Mysore State Life Insurance Committee, Bangalore, Government Consider that the above action proposed to be taken by the said Company will do for the present to safeguard the interests of the Govt. Concern.

The Directors (of the Company) represent that, if any change in the name of their concern were to be ordered now, it would ~~lead~~ seriously affect the confidence of the public in the Company and lead to loss of business. With a view to safeguard the interests of the State Life Insurance Committee, they are agreeable to have precautionary measures taken to avoid the possibility of a mistake being made by the public, such as by putting in inserting a clause

List of Enclosure

In view of this assurance, Govt do not wish to take any further action in the matter for the present.

Copied by

Examined by

Secs. to Govt. Dev. Dept.

The Secretary, Mysore State Life Insurance Committee.

The General Secretary, Mysore Insurance Co. Ltd. Nageswar Buildings, Sri Narasimharaja Road, B. Gate &

The Registrar of J.S. Cos

WD 0185—GPB—15,000—28.8.34

Proceedings of the Government of H.H.
the Maharaja of Mysore.

Read.-

Letter No. 18538 dated 5-4-1934 from the Secy. M.S.L.I. Committee, suggesting that action may be taken to have the name of the newly started Mysore Insurance Company, Ltd., Bangalore, changed so as to avoid the possibility of a mistake being made by the Public between that Company and the State Life Insurance Committee.

2. Letter No. M.I. 286 dated 5-2-35 from the Directors of the above Company, explaining the difficulties that exist in altering the name of the Company and adding that every precaution will be taken to avoid all possibility of a mistake being made by the Public between their Company and the State Insurance Committee.

Order No. dated 20-2-1935

The Directors of the Company represent that, if any change in the name of their concern were to be ordered now, it would seriously affect the confidence of the Public in the Cpmpany and lead to loss of business. With a view to safeguard the interests of the State Life Insurance ~~Committee~~ Scheme, they are agreeable to have precautionary measures taken to avoid the possibility of a mistake being made by the Public, such as by inserting a clause in all their advertisements that their Company is entirely distinct from the Mysore

State Life Insurance Committee.

In view of this assurance, Government do not wish to take any further action in the matter for the present.

Dec 22/1935
Secy. to Govt. Dev. Dept.

To

The Secy. M.S.L.I. Committee.
The Genl. Secy., Mysore Insurance Co., Ltd.
Nageswara Buildings, Sri Narasimharaja Road, Bangalore City.
The Registrar of Joint Stock Cos.

Press Table.

C.R.G.